

Regular Meeting of the
Board of TFD Fire Commissioners

DRAFT -- Meeting Minutes – March 11, 2015

Thompsonville Fire Dept, truck floor, 11 Pearl Street, Enfield, CT

1. Call To Order: by Sec/Treasurer Commissioner Gaskell at 7:05 pm.

2. Roll Call: present was Chairperson Comm. Reidy, Comm. Stone, Comm. Magistri, and Comm. Gaskell. Absent was Comm. Gillespie. Also in attendance was Department Secretary Kellie Wawer and Assistant Fire Chief Bill Provencher

3. Anticipated Executive Session: a)Personnel Issues, b)Pending Claims and Litigation: CGS 7-433c Heart and Hypertension Claims c) Discussion of Pending Claims and Litigation.

MOTION to move into Executive Session. Made by Comm. Gaskell, seconded by Comm. Reidy. Motion passes 4-0.

Into Executive Session was Comm. Reidy, Comm. Gaskell, Comm. Magistri, Comm. Stone, and Assistant Fire Chief Bill Provencher

4. Possible action regarding Executive Session.

No Action Taken

5. Public Communications: 10 Minutes Q & A.

Steve Cogtella, 2 South River St. asked if the Commissioner's could reach out to Comm. Gillespie to see when he would be available to attend one of the next couple of meetings before his commission expires. Mr. Cogtella said that he seems to have a lot of information to share with people on face book so perhaps on behalf of the taxpayers, he can come here and share that information. He claims that you are not providing us with accurate information so I would like to hear what he has to say.

Steve Cogtella also asked if the Commissioners had any other information on the \$1.7 M; the money that hasn't been going into the pension fund.

Comm. Reidy said that they haven't had the time to look into this yet with everything going on with the building, budget, lawsuits, etc. Comm. Reidy assured Mr. Cogtella that this will not go away and will be followed up on.

Jeff Cross, 1116 Enfield Street asked what the status of the Certificate of Occupancy is with the new station.

Assistant Fire Chief Provencher responded there are two issues we are waiting on. One is with the building inspector and Fire Marshall; small misc items and the other is information the Town is waiting for from Pacheco.

Comm. Stone mentioned that there is a cost to the District of \$5,000 for each month there is a delay in getting into the building

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Assistant Chief Provencher said he is communicating with Pacheco on this situation.

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Comm Stone replied that we expect to make it but most likely will be tapping into the \$188,000 reserve fund.

6. Secretary/Treasurer's Report

Comm. Gaskell provided handouts of the current Profit & Loss Budget vs. Actual Transactions.

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7. Fire Marshall's Report.

Report e-mailed to Commissioners the first of the month

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Assistant Chief Provencher apologized for not being at the last three meetings. There were fires he was attending on those evenings.

He addressed the renting of desk top and lap top Computers from the Town of Enfield. Desk tops would be \$15/month and lap tops \$12/month. This would be approximately \$1,700 a year. If anything broke on these computers, the town would fix or replace them under the rental policy. The computers being used now are quite old.

MOTION to authorize Assistant Chief Bill Provencher to move forward with renting eight desktops and two laptop computers from the Town of Enfield starting in April 2015.. Made by Comm. Reidy, seconded by Comm. Stone. Motion passes 4-0..

The old computers are district property and will be retained.

Assistant Chief Provencher wanted to acknowledge and to thank the firefighters for their time and effort helping save the district money by taking care of the new and old station.

Assistant Chief Provencher will check into the Energy Credits. He also wants to thank Comm. Magistri for all his time being put at the station working with him on the Budget.

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Assistant Chief Provencher also suggested that a line item be put on the budget for snow removal for the new station. With the snow we had this year there wasn't much room to pile up the snow.

9. Commissioners' Communications

Comm. Magistri mentioned that we were paying 12% per kilo-watt for electricity and was looking into getting a cheaper rate. He found a rate of 9.5% for 12 months; 9.45 for 24 months. He asked if anyone, who is more fluent in surfing the web, knew of, or could find a less expensive rate.

Karen LaPante thought we might be able to link in with the Town of Enfield and get their rate and suggested that Comm. Magistri could follow up on this by speaking to the Town Manager, Matt Coppler

10. Old Business a) Discussion and possible action of New Fire Station b) Discussion and possible action of Old Fire Station. C) Discussion and possible action of Ordinances and Fire Marshall's Fees.

Comm. Reidy mentioned that there was a lot of confusion as to where we are at with the new fire station; why we are not in it. Comm. Stone put together and had available information as to why we are not yet in the new station. He explained that there were many items under budgeted, for example the door lock system was budgeted for \$5,000 it came in close to \$15,000. According to the Architects these items were budgeted for even before we came on board as Commissioners. The wiring for the network, the wiring for the alarms, for the speaker system, for the cable television, that was all owner expense. There was no money anywhere to cover these expenses. The refrigerator,

stove and dishwasher was budgeted for \$9,000; we came under this; however the kitchen is still not complete.

Steve Cogtella questioned as to how a budget could be prepared without listing these items. Comm Stone said the only Commissioner who could answer this when that budget was prepared is not here is attendance. We cannot get answers on this stuff and it is very frustrating to us. When Chief Alaimo returns we will have a public hearing to discuss why these decisions were made and why there are such wide gaps in the building budget. Comm. Stone continued, we made the decision to stop the construction based on the deficit. We have all this information in a book that is available to all, taxpayers, firefighters, etc and will be here at the fire station.

Steve Cogtella asked what the expected cost would be to get the new building operating as a fire house. Comm. Stone responded that in the new budget they left \$160,000 in the Contingency Fund to complete the building. We have some hard costs but are still waiting for a few more.

Nothing to report on the old firehouse.

Nothing new regarding Ordinances and Fire Marshall's Fees. This is still being worked on.

11. New Business: a) Discussion and possible action of the handling of mail. B) Discussion and possible action of Documenmt/Records Retention and Destruction. C) Schedule Budget Meetings for FY 2015-2016.. d) Discussion and possible action of the May election and Annual Budget meeting.

MOTION to have all mail coming to the Station to first go, unopened, to Assistant Bill Provencher for him to separate and distribute. Made by Comm. Reidy. Seconded by Comm Stone. Motion passes 4-0.

MOTION to put a halt on destruction and removal of department records until further notice. Made by Comm Stone, seconded by Comm. Gaskell. Motion passes, 4-0.

After discussion it was decided that the next budget meeting will be March 18th at the fire station, starting time 6 pm.

The procedure for the May election, to fill the position of Comm. Gillespie, whose term is expiring, was discussed. First a letter of intent from those interested 30 days before the actual election. A legal notice has to be in the local paper 15 days before the Election Day. For the election to be held at the annual meeting, the 14th of May, the letter of intent has to be received by April 14th. Anyone interested to run for Commissioner has from March 27th to April 14th to submit their letter of intent. More information regarding

the procedure and legal notices required under Chapter 105 will be discussed with Attorney Landolina next week (Mar 19th).

12. Public Communications: 10 minutes Q & A

Kathryn McGann, Thistle Lane asked that since Comm. Gillespie may have some pertinent information, she thought the taxpayers would like to see him at one of these meetings before his term expires. She asked if the Commissioners could reach out to Comm. Gillespie to provide a list of times and days he would be available to attend and schedule a meeting when he is available.

Kathryn McGann, Thistle Lane directed her question to Comm. Magistri and asked him to check our Energize ct.com to check out their Electrical rates. Ms. McGann will work with Comm. Magistri in trying to obtain a lower rate.

Kathryn McGann, Thistle Lane asked if it was possible, with the incoming mail problem, to get a PO box. Comm. Reidy thought there may be time constraints with picking up the mail daily.

13. Approval of Minutes from December 16 special meeting, February 11 regular meeting, February 14 special meeting and February 26 special meeting.

Comm. Reidy: Regarding the December 16th meeting minutes there are only a few minor corrections. Prior to 49.55 it says umm meaning, it should be umm meeting. Then at 1 hour 10.45 it reads open ended, it should read open and shut.

MOTION to approve December 16, 2014 special meeting minutes as amended. Made by Comm. Gaskell, seconded by Comm. Reidy. No further discussion Motion passes 4-0.

MOTION to approve February 11, regular meeting minutes, February 14 special meeting minutes, and February 26, special meeting minutes. Made by Comm. Reidy, seconded by Comm. Gaskell. No further discussion. Motion passes 4-0.

14. Discussion and Approval of Invoices/Bills

The commissioners reviewed, discussed and approved checks

15. Adjourn.

MOTION to adjourn. Made by Comm. Gaskell, seconded by Comm Reidy. All in favor by ayes. Adjourned at 9:43pm

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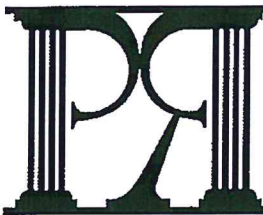
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PACHECO ROSS ARCHITECTS, P.C.

EMERGENCY RESPONSE FACILITIES

DAVID J. PACHECO, AIA – CA, CT, DE, NJ, NY, NC, RI, VT, TN, TX

DENNIS A. ROSS, AIA – CO, CT, ME, MD, MA, MI, MO, OH, PA, NH, NJ, NY, TN, VA, WV

March 31, 2015

Board of Fire Commissioners
Thompsonville Fire District No. 2
11 Pearl Street
Enfield, CT 06082-3501

Attn: Commissioners Reidy and Stone
RE: Meeting Minute Corrections

Dear Board of Fire Commissioners,

Pacheco Ross Architects, P.C. (PRA) has recently seen the publicly posted meeting minutes of the Thompsonville Fire District No. 2 (District) meetings of February 11, 2015 and March 11, 2015. In those meetings there are several statements that need to be clarified. PRA was unaware these items were to be discussed and was not contacted about these specific issues ahead of the meeting and therefore some inaccurate information was included. We ask that these corrections be read into the next meeting of the District in April 2015.

February 11, 2015 – Item #6 *"The building was designed to be a building, not a firehouse. According to the architect's design all communications systems were omitted, deliberately from the building."*

This statement is not accurate. The building is designed to the codes, standards and with the systems typical to an "essential service" fire station facility and to the extent stipulated in the AIA B101 contract between PRA and the District. Select portions of the telecommunication and data systems were included in the Soft Cost portion of the budget instead of the Hard Cost (contractor bid construction cost) portion of the work in order to allow integration with existing system vendors, timely bidding, use of latest technologies and best pricing. This is common practice and is reflected in District project budgets dating back to at least January of 2013 and presented to new District elected officials on several occasions, including on 7/21/14 and 7/28/14. A review of these budgets shows at least \$33,500 should have been available for such systems. The fact that portions of work are in soft versus hard cost categories DOES NOT mean that they were *"omitted, deliberately from the building."* With over 30 fire stations designed and constructed in the last 10 years, PRA knows this to be a typical approach for fire station design budgets and construction.

The main issue affecting the ability to complete the communications systems, and for that matter other items, is the loss of contingency money due to the **\$265,598.19 of additional costs** incurred by the project due to delays related to injunctions filed against the project in 2013. This occurred after the project was originally bid. This figure was documented for the District on May 28, 2014 and verified received by the District on June 2, 2014.

March 11, 2015 – Item #5 *"... information the Town is waiting for from Pacheco"*

And;

"Assistant Chief Provencher said Pacheco thinks this is not information that has to be provided to the Town"

And;

"Mr. Cogtella continued, he wants to know why we are paying the \$5,000 a month when this is between Pacheco and the Town." [Emphasis Added]

And;

"Comm. Stone mentioned that there is a cost to the District of \$5,000 for each month there is a delay in getting into the building"

There appears from these statements to be a misunderstanding of PRA's role and services.

It is extremely important to note two items:

1. PRA has received no direct communication from the Town Building Department about any information they are waiting for from PRA. A January 17, 2015 e-mail from the Fire Marshal asks the contractor for as-built construction drawings on the fire house. On February 23, 2015 when Enfield Builders Inc. (EBI) attempted to arrange delivery of the drawings (which are in their scope of work per the construction documents, and which they have completed) the building department insisted that they be sealed by a professional. EBI contacted PRA for its help.
2. The contract between PRA and the District is clear in Sections 4.1.14 and 4.1.15 that As-Designed and As-Constructed Record Drawings are NOT part of our services.

We object to any statement or characterization that PRA is somehow withholding requested information from the Town or that there is any open issue that exists between PRA and the Town. **This is false.** While as-constructed record drawings are clearly beyond our contracted scope, PRA has attempted to intervene, in good faith, to help resolve the impasse. On 2/23/15, PRA offered to stamp (seal) a substantial compliance document common in other municipalities. EBI indicated that this was rejected by the Town on 2/24/15 and they requested PRA stamp (seal) the drawings. PRA then issued an e-mail to EBI and the District on 2/27/15 explaining in great detail how the request from the Town could not be honored. This included the fact that requesting PRA to stamp the drawings prepared by EBI would be a clear violation of CT General Statutes Chapter 390, Sec. 20-293.

Notwithstanding the fact that as-designed drawings are excluded from PRA's contract, PRA spoke with Assistant Chief William Provencher and agreed to again try to assist the District. PRA indicated that it could provide stamped versions of drawings that were issued by PRA during the construction process to be submitted with the as-builts from EBI. This, it was noted, would not be a violation of CT statutes. These drawings were immediately produced, stamped and rushed to EBI via overnight courier.

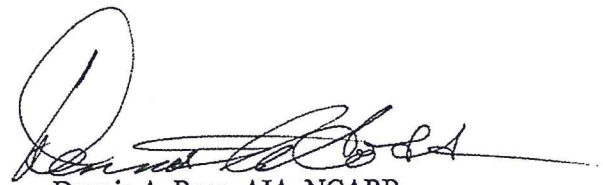
With respect to the statement that *"there is a cost to the District of \$5,000 for each month there is a delay in getting into the building."* **This is not accurate.** There is a pro-rated contractual cost of up to \$8,000 per month for Construction Administration services related to project completion. This is not dependent on a certificate of occupancy or the District occupying the building. The pro-rated costs are for the use of PRA's services outlined in the contract and those specifically related to EBI's construction work and project closeout such as payment requisitions, field visits, meetings, determinations of substantial completion, communications, clarifications etc. The fee is pro-rated so the District is only charged for work completed. **It should be noted for the record (and as outlined in our March 1, 2015 letter to the District) that by contract, PRA is already eligible for eight months of these fees, but has opted to not charge for those.** We do reserve all rights to past fees due and earned, but not invoiced, should the situation change.

We hope that these facts clear up any confusion and inaccuracies.

Sincerely,



David J. Pacheco, AIA, NCARB



Dennis A. Ross, AIA, NCARB

Cc: EBI
Deputy Fire Chief Bill Provencher
Chief Frank Alaimo